

# **EXHIBIT A**

On Jul 11, 2024, at 3:16 PM, Ryan Lane <[ryan@congobrand.com](mailto:ryan@congobrand.com)> wrote:

Tim / Hevan – as discussed on the phone last night I am attaching the reports from our internal review and supporting documents from third party testing.

Note that there were 24 affected lots outlined in the excel file. Of those 3 are expired and we have removed them and the associated testing cost from the quality claim total of \$3,130,856.02.

We are willing to provide any additional information that is readily available and to cooperate in any additional review that Agrovana would like to perform.

Ryan Lane  
P – 618.593.9867

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**From:** Wyatt Bryant <[Wyatt.Bryant@congobrand.com](mailto:Wyatt.Bryant@congobrand.com)>  
**Date:** Thursday, July 11, 2024 at 2:41 PM  
**To:** Ryan Lane <[ryan@congobrand.com](mailto:ryan@congobrand.com)>  
**Subject:** Agrovana Coconut Claim Documentation 7.11.24

Attached Documents:

- Powdered Coconut Lot Failure and Inventory Levels, with photo evidence of Foreign Material
- Eurofins Lab analysis report of all Foreign Materials found during the inspection
- Congo Brands Coconut Inspection Protocol/process
- Detailed Inventory pass/fail data table and total COGS summary for all failed lots
- CAPA of Lot K-CWP05C1 – The first lot identified with foreign material at Manna Anaheim location which started the full investigation.

**Wyatt Bryant**

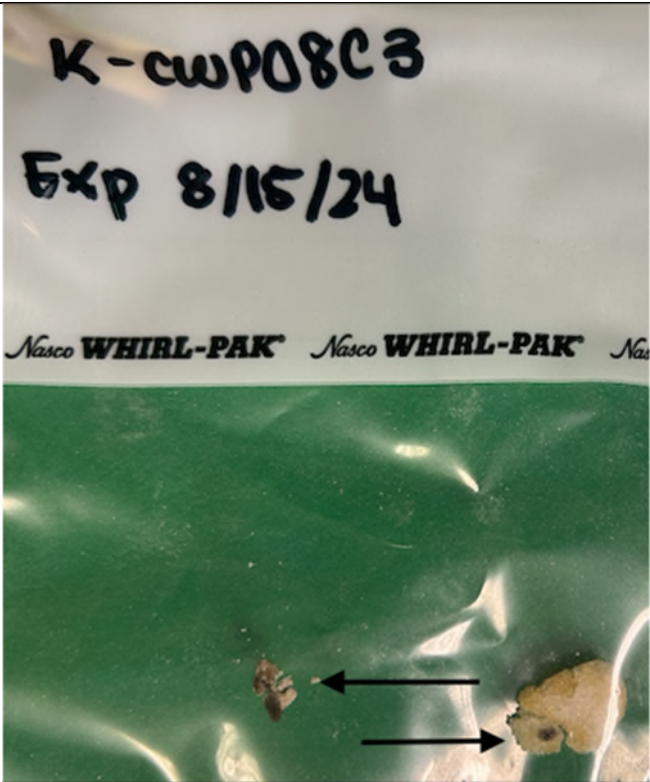
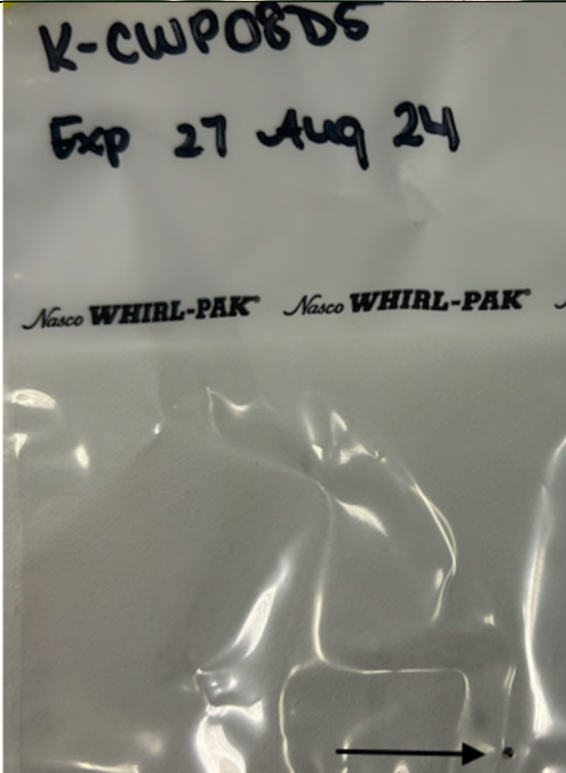
VP, Manufacturing and Innovation

[Wyatt.Bryant@congobrand.com](mailto:Wyatt.Bryant@congobrand.com)

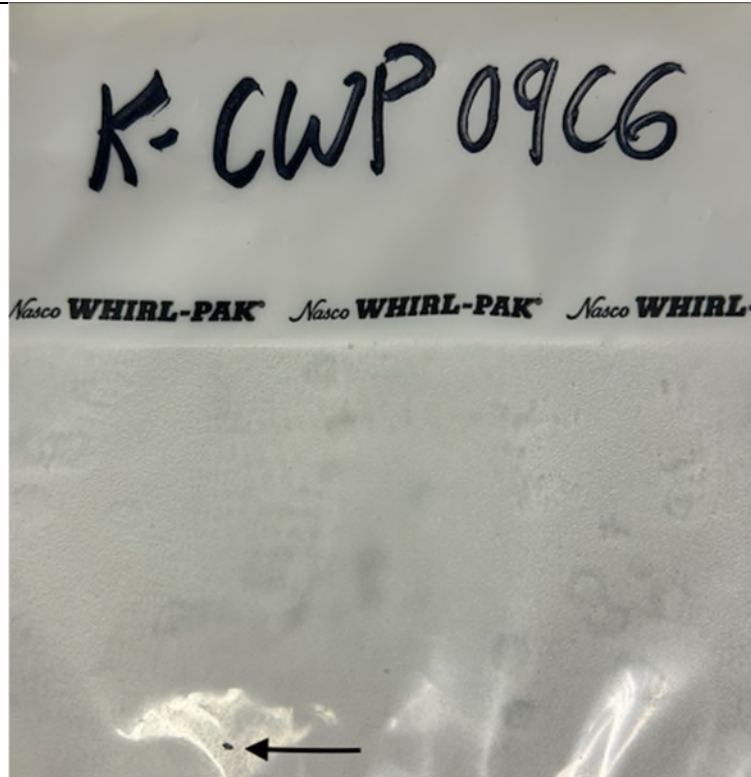
P: (502) 523-8148

Lot Numbers	Failure Reason:	Amount in Inventory	Expiration dates
K-CWP08C3	Foreign Material	23,100 lbs	08/15/24
K-CWP08D5	Foreign Material	10,780 lbs	08/27/24
K-CWP09C6	Foreign Material	18,480 lbs	09/15/24
K-CWP09D1	Foreign Material	23,100 lbs	09/25/24
K-CWP10A1	Foreign Material	15,400 lbs	10/2/24
K-CWP10A10	Foreign Material	3,080 lbs	10/6/24
K-CWP11A7	Foreign Material	1,540 lbs	11/3/24
NVR-CWP-2440K	Foreign Material	92,345 lbs	9/9/24
NVR-CWP-2452K	Foreign Material	92,345 lbs	10/15/24
NVR-CWP-2455K	Foreign Material	61,600 lbs	11/4/24
K-CWP09D4	Foreign Material	1,650 lbs	9/26/24
K-CWP11B1	Foreign Material	11,550 lbs	11/7/24
K-CWP10A8	Foreign Material	18,019.38 lbs	10/5/24
K-CWP05C1	Foreign Material	6,817.85 lbs	5/14/24*
K-CWP06B3	Foreign Material	1,542.8 lbs	6/14/24*
K-CWP08B11	Foreign Material	3,080 lbs	8/24/24
NVR-CWP-2423K	Foreign Material	18,292.28 lbs	7/20/24
NVR-CWP-2428K	Foreign Material	28,774.76 lbs	8/4/24
NVR-CWP-2407K	Foreign Material	1,650 lbs	5/9/24*
NVR-CWP-2456K	Foreign Material	61,600 lbs	11/14/24
NVR-CWP-2460K	Foreign Material	61,600 lbs	1/11/25
NVR-CWP-2462K	Foreign Material	61,600 lbs	1/17/25
K24-CWP01B6	Foreign Material	30,800 lbs	1/12/25
K24-CWP01C5	Foreign Material	30,800 lbs	1/17/25

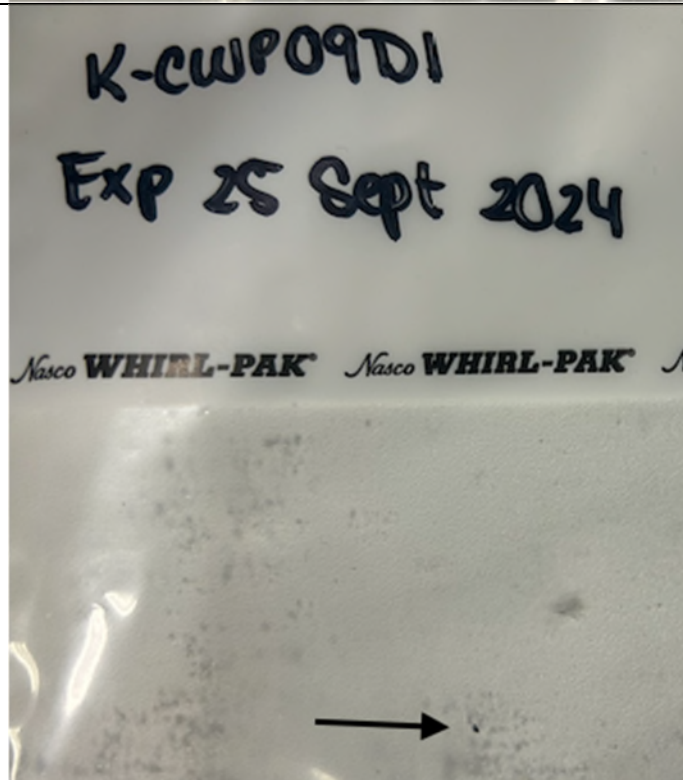
\*expired batches as of 7/11/24

Lot Code	Photos
K-CWP08C3	
K-CWP-08D5	

K-CWP09C6



K-CWP09D1





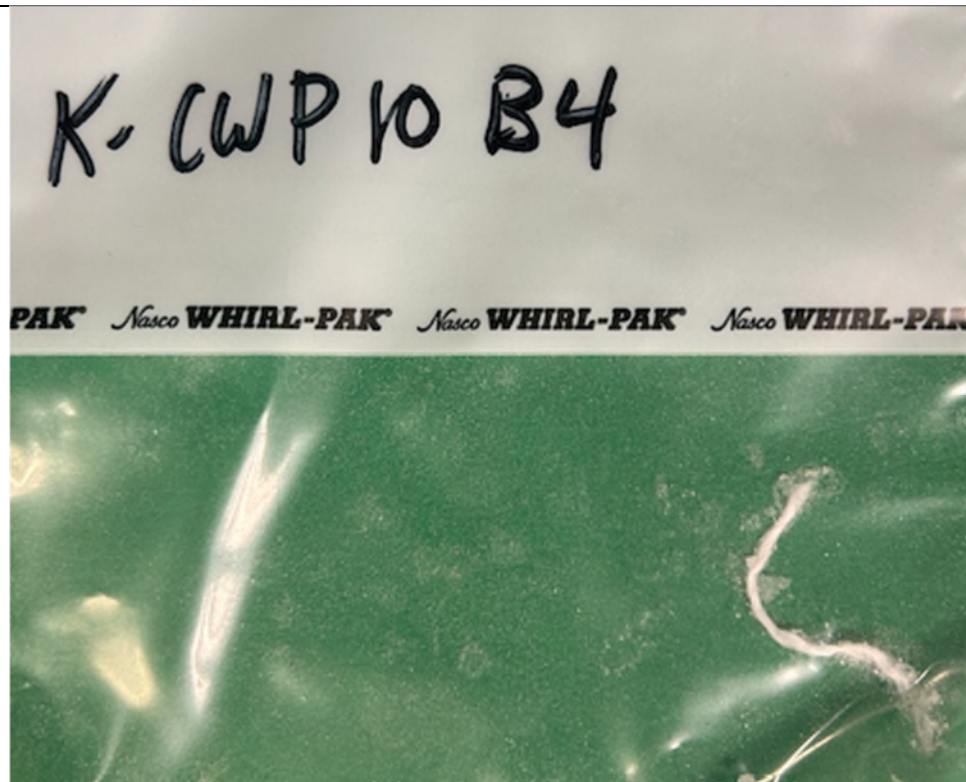
K-CWP10A1



K-CWP10A10



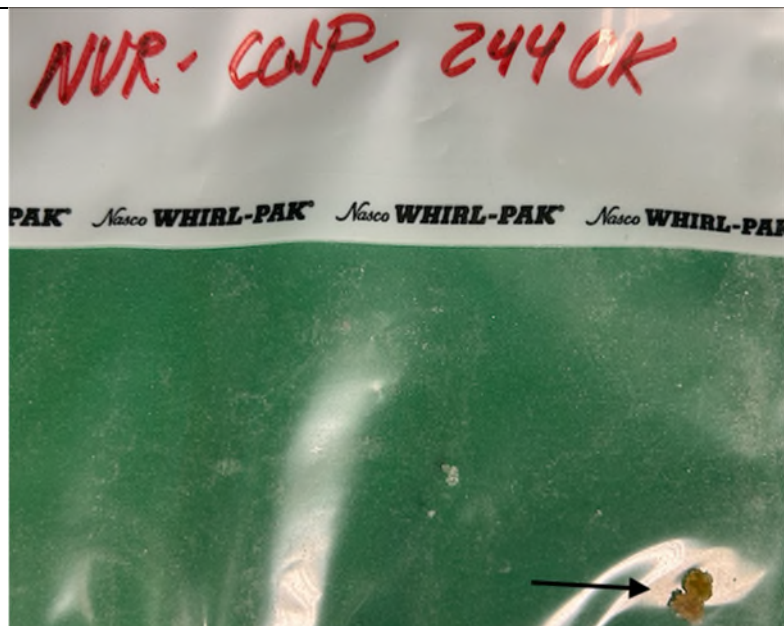
K-CWP10B4



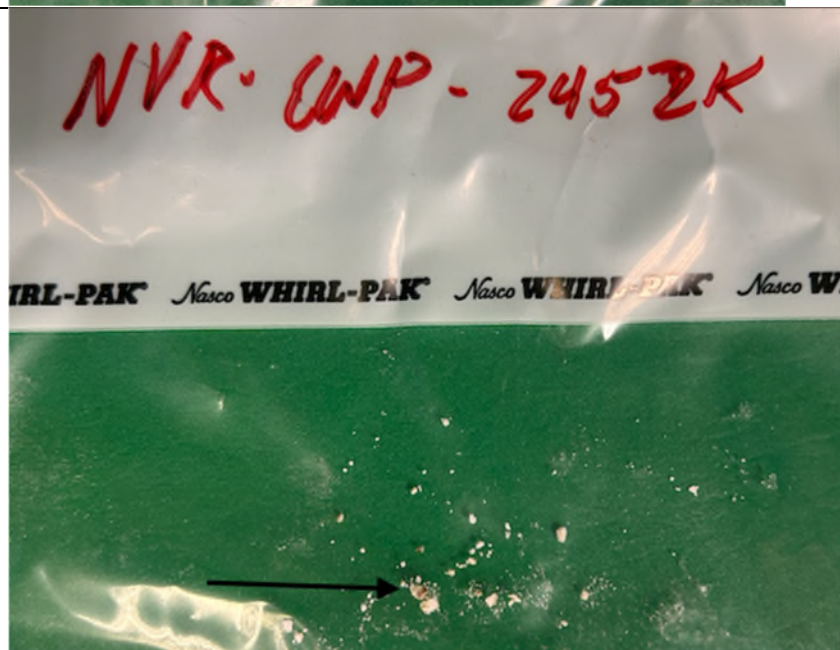
K-CWP11A7



NVR/CWP/244  
OK

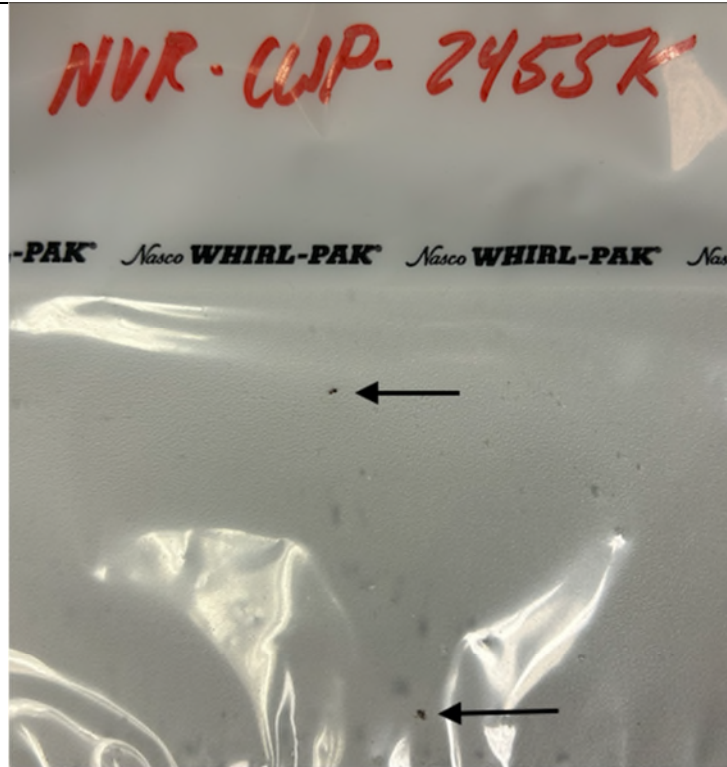


NVR/CWP/245  
2K

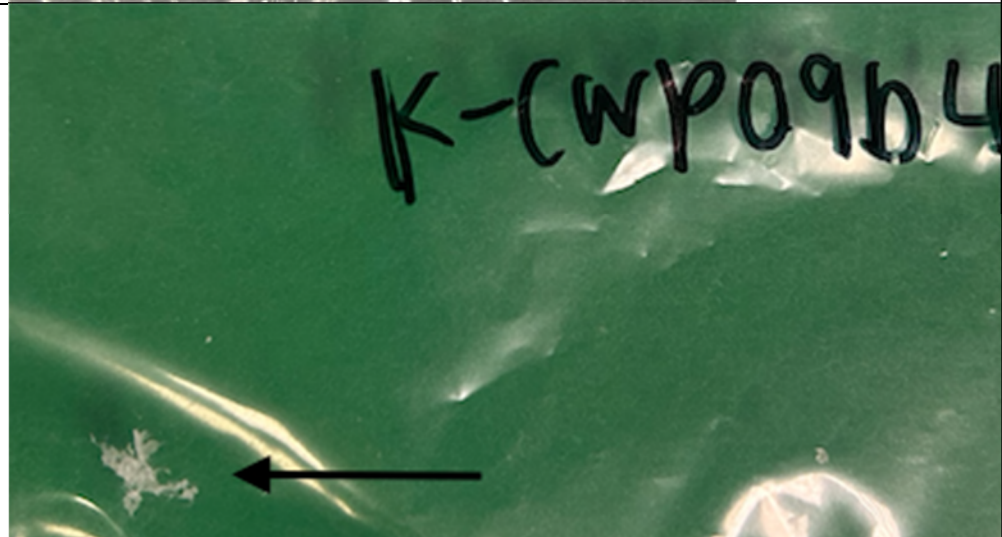




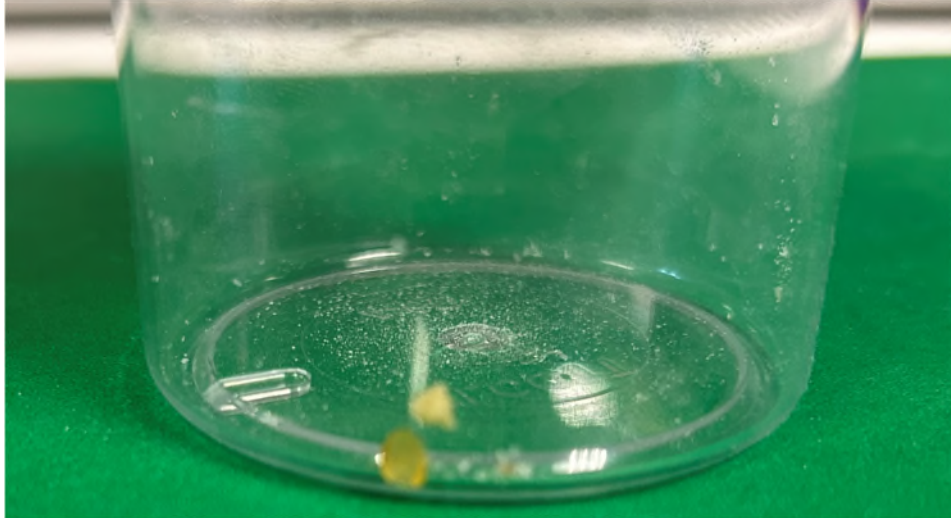
NVR/CWP/245  
5K



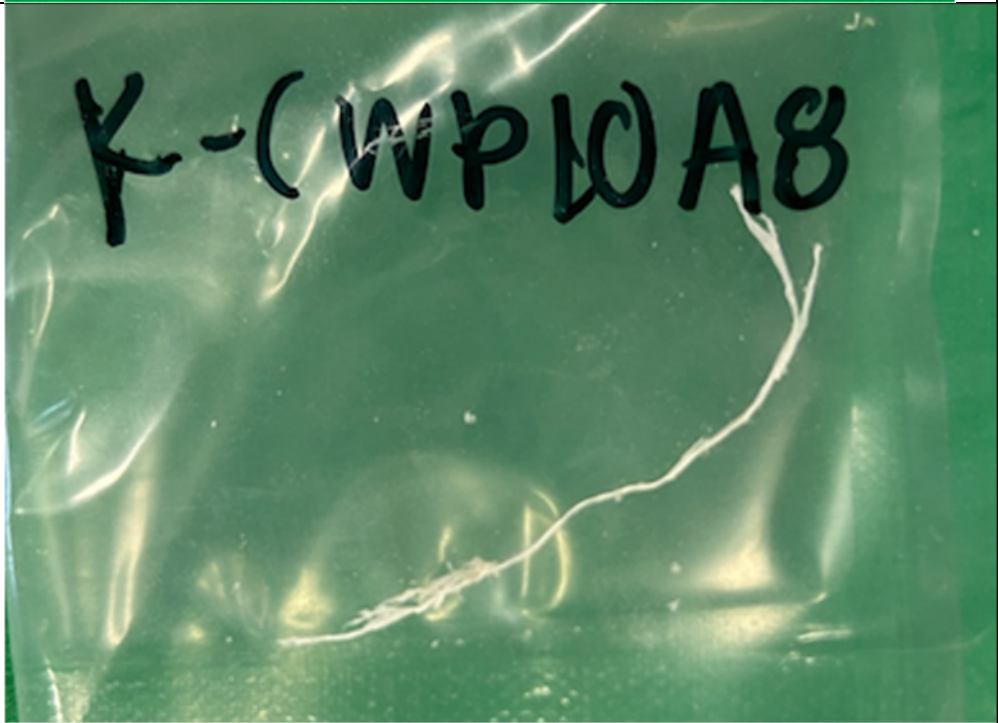
K-CWP09D4





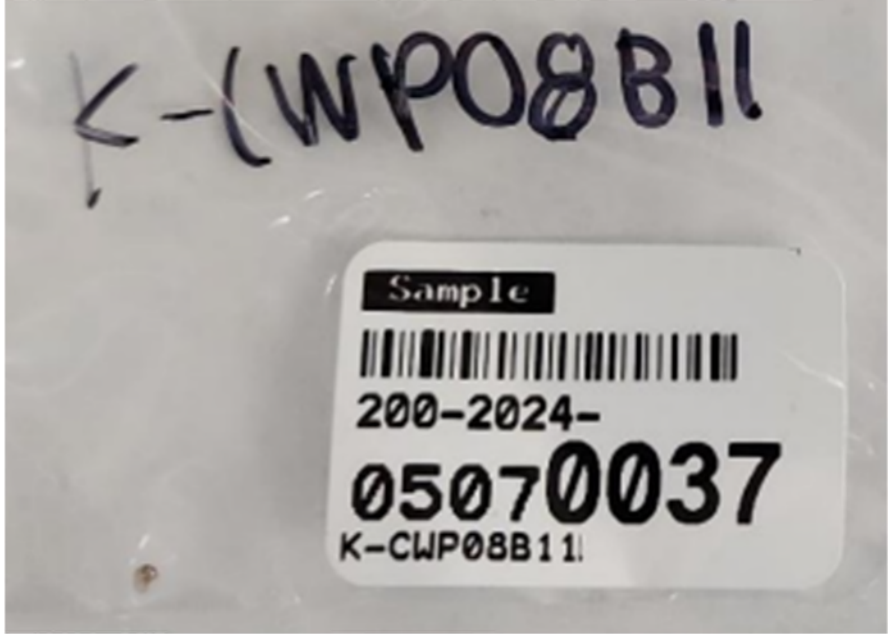
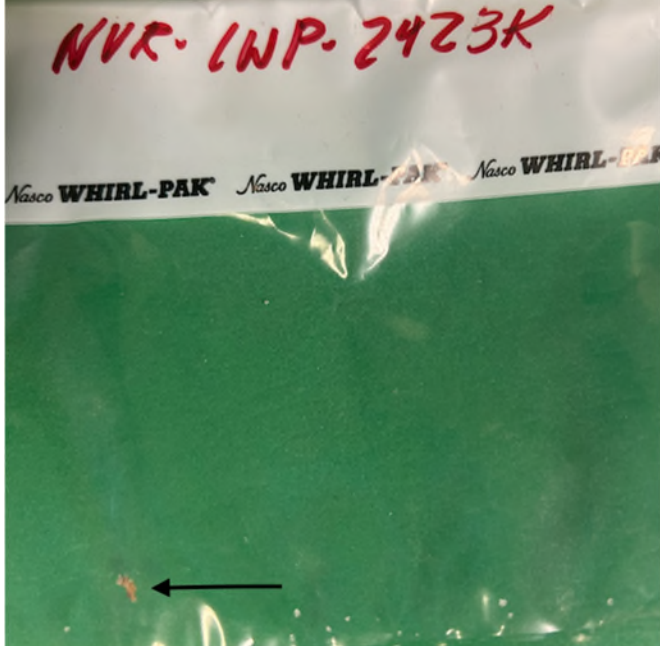
K-CWP11B1



K-CWP10A8



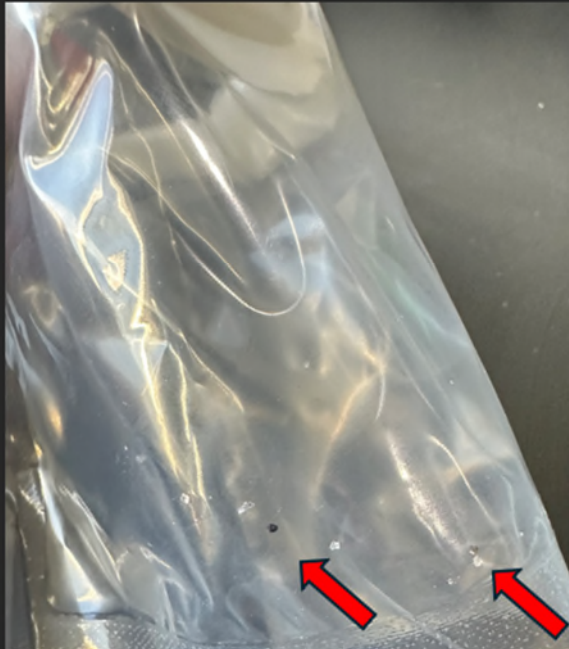
K-CWP05C1	 <p>A white evidence bag with a label. The label includes the text "Sample", a barcode, "200-2024-", "05070038", and "K-CWP05C1". Above the label, the text "K-CWP05C1" is handwritten in black marker. Below the label, two black arrows point to small dark spots on the bag.</p>
K-CWP06B3	 <p>A close-up photograph of a white evidence bag. The bag shows several brown, irregular stains on its surface. The bag is resting on a dark, textured surface.</p>

K-CWP08B11	
NVRCWP2423 K	

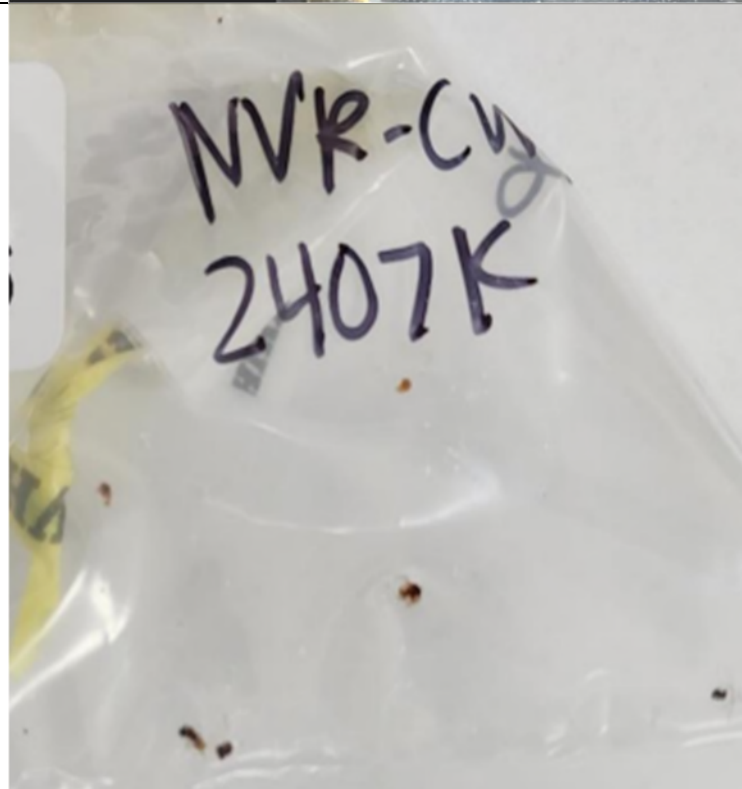


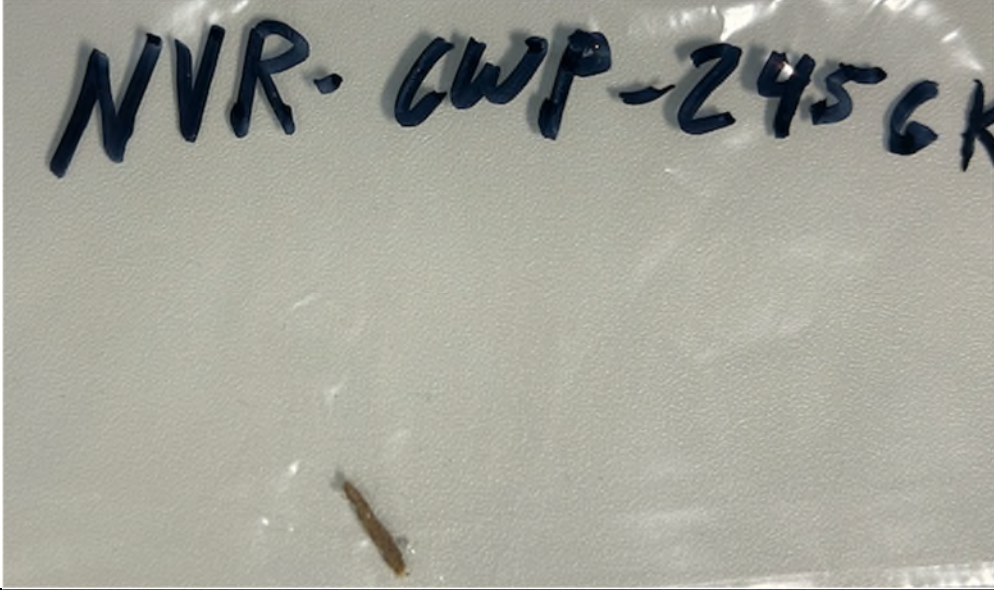
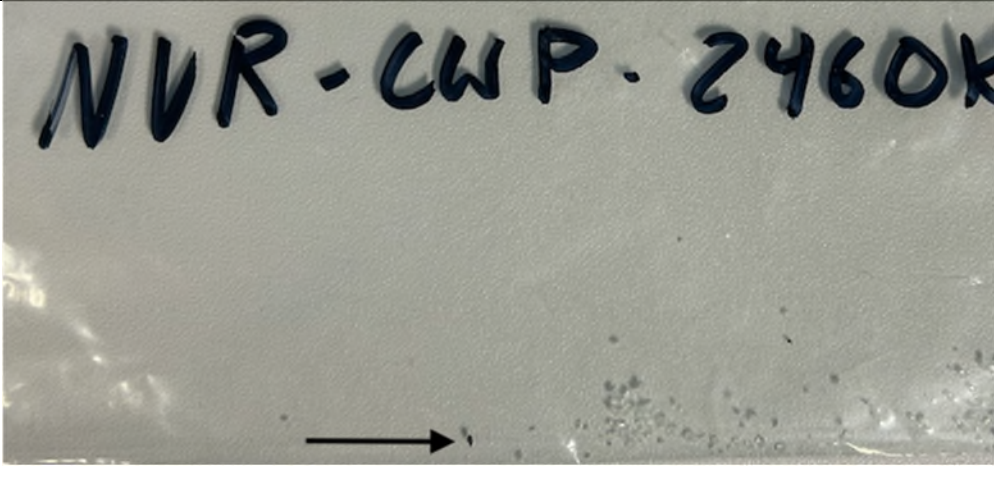
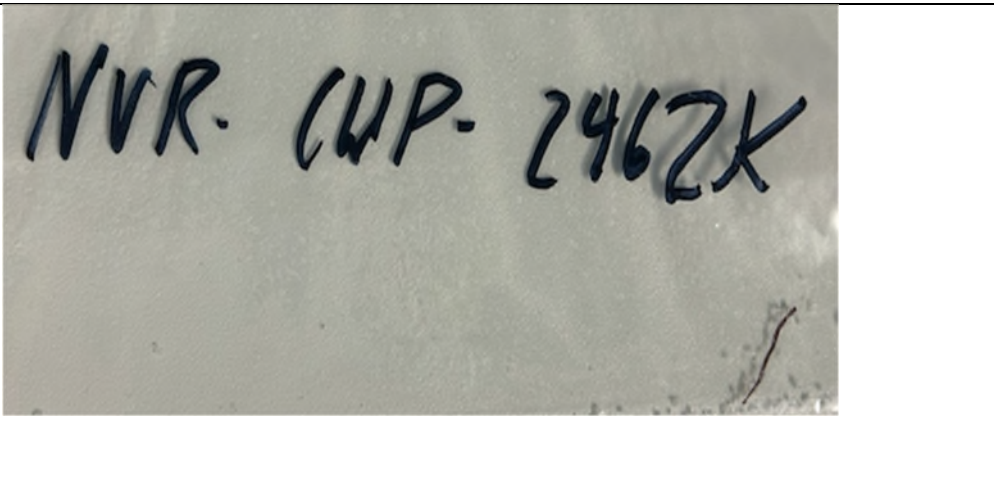
NVRCWP2428  
K

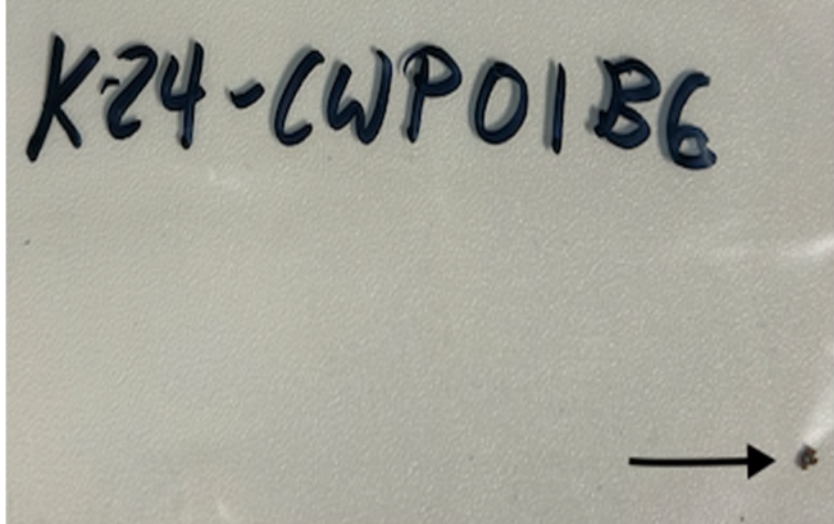
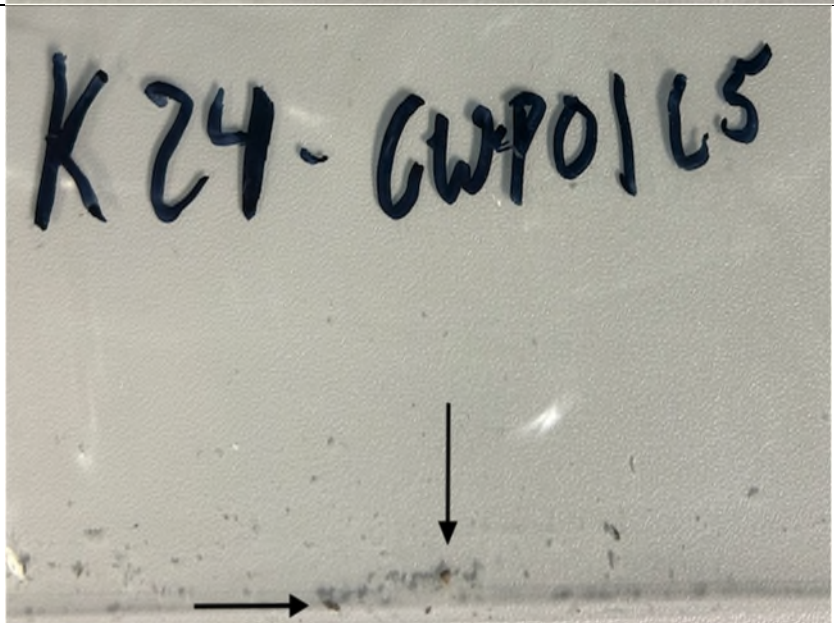
NVR-CWP-2428K



NVR-  
CWP2407K



<p>NVR-CWP-2456K</p>	 A photograph of a light-colored, slightly textured surface. At the top, the text "NVR-CWP-2456K" is handwritten in dark ink. Below the text, there is a small, dark, elongated object, possibly a piece of debris or a small insect, lying on the surface.
<p>NVR-CWP-2460K</p>	 A photograph of a light-colored, slightly textured surface. At the top, the text "NVR-CWP-2460K" is handwritten in dark ink. Below the text, there is a small, dark, elongated object, possibly a piece of debris or a small insect, lying on the surface. A small black arrow points to the right, located below the text.
<p>NVR-CWP-2462K</p>	 A photograph of a light-colored, slightly textured surface. At the top, the text "NVR-CWP-2462K" is handwritten in dark ink. Below the text, there is a small, dark, elongated object, possibly a piece of debris or a small insect, lying on the surface.

K24-CWP01B6	 A photograph of a light-colored surface with the handwritten text "K24-CWP01B6" in dark ink. A black arrow points from the right towards a small, dark, circular mark on the surface.
K24-CWP01C5	 A photograph of a light-colored surface with the handwritten text "K24-CWP01C5" in dark ink. Two black arrows point towards marks on the surface: one points vertically down to a small mark, and the other points horizontally from the left to a small mark.

**1. PURPOSE**

- 1.1. To verify the quality of the raw material, coconut powder for use in production of PRIME Hydration

**2. SCOPE**

- 2.1. To meet the standards and specifications of foreign matter in Coconut Water Powder that are set by the raw material specification sheet.

**3. DEFINITIONS**

- 3.1. COA: Certificate of Analysis
- 3.2. Foreign Matter: Foreign matter or material is defined as any non-food substance, foreign body, or contaminants that may cause illness or injury to the consumer. These materials are not typically part of the raw material ingredient and are not intended to be present in the final food product.
- 3.3. Color: Color is the quality of an object or substance concerning the light it reflects.

**4. RESPONSIBILITIES**

- 4.1. Quality Assurance Specialist:
- 4.1.1. Receive in 1 box of coconut per lot/batch and capture lot code
- 4.1.2. Follow procedure for raw material receiving and coconut water powder inspection

**5. PROCEDURE**

**5.1. Raw Material Receiving**

- 5.1.1. Verify the COA
- 5.1.2. Capture the lot code

**5.2. Coconut Powder Inspection**

- 5.2.1. Receive and open one box of coconut water powder per lot/batch
- 5.2.2. Review the powder against coconut water powder specifications
- 5.2.3. Ensure powder is free of excess moisture.
- 5.2.4. Odor: coconut/nutty/earthy. No evidence of off odor.
- 5.2.5. Appearance: sheet white, ivory, cream, almond, light beige.
- 5.2.5.1. See attachment 6.1 and 6.2 for approved and unapproved colors of powder.**
- 5.2.5.2. The first three of six samples are approved colors by Congo QA for CWP, remaining three are OUT of Specification**
- 5.2.6. Review for Foreign Matter: For every 1,000lbs of coconut powder received, inspect 1%. Ex: 1,000lbs inspect 10lbs of coconut powder.
- 5.2.6.1. See attachments 6.3-6.6 for examples of foreign material**
- 5.2.6.2. Inspection:
- 5.2.6.2.1. Sift through 1% of coconut powder using first a 2 mm screen, then 0.7mm screen.
- 5.2.7. Approve the lot and capture the approved lot code

**5.3. Rejection Criterion:**

- 5.3.1. Failure to meet color/appearance standard
- 5.3.2. Failure to meet odor standard
- 5.3.3. Failure if any foreign material is identified
- 5.3.3.1. If any lot of coconut water powder fails inspection, place on Hold and notify Congo Brands Quality Representative**

**5.4. Escalation Protocol**

**5.4.1. Coconut Water Powder passes procedural inspection**

- 5.4.1.1. Accept lot and move into inventory

**5.4.2. Coconut Water Powder fails procedural inspection**

- 5.4.2.1. Place on hold and notify Congo Brands Quality Unit



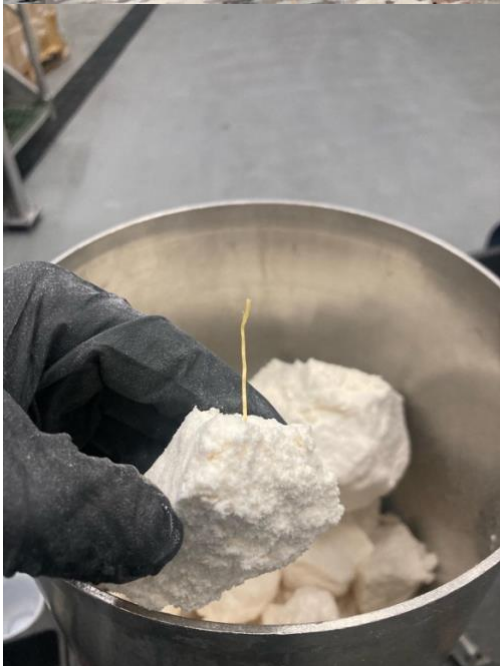
6. ATTACHMENTS & DOCUMENTS



6.1.



6.2.



6.3.



6.4.



6.5.



6.6.

Coconut Inspection

Lot Code	Expiration	Pass/Fail	Testing Cost	Savannah River Inventory	\$	Freight in	Black Mountain	\$	Freight in	Manna Anaheim	\$
K-CWP08C3	8/15/2024	Fail					23,100	\$ 80,619.00	\$ 50,719.35		\$ -
K-CWP08D5	8/27/2024	Fail					10,780	\$ 37,622.20	\$ 23,585.96		\$ -
K-CWP09C6	9/15/2024	Fail					18,480	\$ 64,495.20	\$ 36,357.30		\$ -
K-CWP09D1	9/25/2024	Fail					23,100	\$ 80,619.00	\$ 45,161.99		\$ -
K-CWP10A1	10/2/2024	Fail					15,400	\$ 53,746.00	\$ 30,029.00		\$ -
K-CWP10A10	10/6/2024	Fail					3,080	\$ 10,749.20	\$ 6,001.48		\$ -
K-CWP11A7	11/3/2024	Fail					1,540	\$ 5,374.60	\$ 2,982.00		\$ -
NVR/CWP/2440K	9/9/2024	Fail		92,345	\$ 322,284.05	\$ 183,870.63		\$ -			\$ -
NVR/CWP/2452K	10/15/2024	Fail		92,345	\$ 322,284.05	\$ 39,134.11		\$ -			\$ -
NVR/CWP/2455K	11/4/2024	Fail		61,600	\$ 214,984.00	\$ 32,305.74		\$ -			\$ -
K-CWP09D4	9/26/2024	Fail	\$ 6,000.00				1,540	\$ 5,374.60	\$ 2,982.00		\$ -
K-CWP11B1	11/7/2024	Fail						\$ -			\$ -
K-CWP10A8	10/5/2024	Fail	\$ 2,800.00					\$ -		16,479	\$ 57,513.04
K-CWP05C1	5/14/2024	Fail	\$ 2,800.00					\$ -		6,818	\$ 23,794.30
K-CWP06B3	6/14/2024	Fail						\$ -		1,543	\$ 5,384.37
KCWP08B11	8/24/2024	Fail	\$ 2,800.00				3,080	\$ 10,749.20	\$ 6,706.26		\$ -
NVRCWP2423K	7/20/2024	Fail						\$ -			\$ -
NVRCWP2428K	8/4/2024	Fail						\$ -			\$ -
NVR-CWP-2407K	5/9/2024	Fail	\$ 2,800.00					\$ -			\$ -
NVR/CWP-2456K	11/14/2024	Fail									
NVR/CWP-2460K	1/11/2025	Fail									
NVR/CWP-2462K	1/17/2025	Fail									
K24-CWP01B6	1/12/2025	Fail									
K24-CWP01C5	1/17/2025	Fail									
			\$ 17,200.00	246,290	\$ 859,552.10	\$ 255,310.48	100,100	\$ 349,349.00	\$ 204,525.34	24,840	\$ 86,691.70

RM	\$ 2,371,619.27
Freight	\$ 695,706.45
Testing	\$ 24,700.00
<b>Subtotal</b>	<b>\$ 3,094,368.94</b>
Affected FG	\$ 94,032.00
<b>Total Quality Claim</b>	<b>\$ 3,188,400.94</b>
minus expired product	\$ 57,544.93
<b>Final Quality Claim</b>	<b>\$ 3,130,856.02</b>

Freight In	Manna West Sac	\$	Freight in	CDS Stockton	\$	Freight in	DSV	\$	Freight in	CDS Muskogee	\$	Freight in	Prep Partners	\$	Freight in
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		\$ -			\$ -		1,650	\$ 5,758.50	565		\$ -			\$ -	
		\$ -			\$ -		11,550	\$ 40,309.50	3,960		\$ -			\$ -	
\$ 30,747.06		\$ -			\$ -			\$ -			\$ -			\$ -	
\$ 13,368.00		\$ -			\$ -			\$ -			\$ -			\$ -	
\$ 3,074.00		\$ -			\$ -			\$ -			\$ -			\$ -	
		\$ -			\$ -			\$ -			\$ -			\$ -	
	4,377	\$ 15,276.71	\$ 1,501.75	9,900	\$ 34,551.00	\$ 3,396.70		\$ -		4,015	\$ 14,012.35	\$ 1,377.45		\$ -	
	4,685	\$ 16,349.81	\$ 1,606.96	23,100	\$ 80,619.00	\$ 7,925.64		\$ -		990	\$ 3,455.10	\$ 339.67		\$ -	
		\$ -			\$ -		1,650	\$ 5,758.50	\$ 565.76		\$ -			\$ -	
													61,600	214984	\$ 41,860.66
													61,600	214984	\$ 41,860.66
													61,600	214984	\$ 41,860.66
													30,800	107492	\$ 20,930.33
													30,800	107492	\$ 20,930.33
\$ 47,189.06	9,062	\$ 31,626.52	\$ 3,108.71	33,000	\$ 115,170.00	\$ 11,322.34	14,850	\$ 51,826.50	\$ 5,090.76	5,005	\$ 17,467.45	\$ 1,717.12	246,400	\$ 859,936.00	\$ 167,442.64

Manna West Sac FG

CHF 2404613005

STB 240591121



<b>NEEL BEVERAGES PVT. LTD.</b>			
Document Name	Corrective Action Request	Document No.	NBPL-IA-FM-04
Issue No	02	Rev No.	00
Date of Issue	03.04.24	Revision Date	00

## CAPA

<b>PROCESS/ FUNCTION/ PRODUCT</b>	COCONUT WATER POWDER	<b>AUDITOR</b>	Trupti Parab
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**Non-Conformance / Deficiency:**

1. Clumping and black oxidized solids identified by customer in Coconut Water Powder having batch no. K-CWP05C1 manufactured on 15.05.23. The test carried out by the client reveals black solids composed of organic material i.e the product itself, not foreign material.
2. Metal foreign object found in product having batch no. K-CWP05C1

**Root Cause/ Correction / Corrective Action / Preventive Action****Root Cause Analysis:**

**What:** Clumping of product particles and turning into black solids observed by customer.  
Presence of foreign metal objects in product.

**Why:** Probable lapse in storage conditions or exposure of the product to outside environment.

Lapse in identification of foreign object, probable cause of contamination through equipment in the supply chain

**Corrective Action:**

1. Air Handling Unit (AHU) has been updated and modified in the facility to manage and control moisture better.
2. Overall moisture in the product has been reduced in the CWP.
3. Extra layer of filter added in sieving process to reduce passage of foreign objects.

**Preventive Action:**

Clumping has occurred in the past. To prevent or minimize this from happening in the future, we have considerably reduced the moisture levels of the CWP. Regarding black particles or clumped black particles, we have never seen their occurrence before. However, our product knowledge, coupled with an assumption in this case leads us to believe that the product may have come into contact with oxygen for a prolonged period of time or had not been stored as per the guidelines on the product specification. Suggested storage conditions must be adhered to. To prevent this, storage conditions have been updated, detailed, and attached to this document for your reference.

Metal detector has been added on the line since November 2023. Given the particle size of the clumps as provided by the customer it will be effective in identifying metal foreign objects if any in the future.

Auditor Signature: 

Date: 03.04.24

Reviewed By- 



**NEEL**  
BEVERAGES**PRODUCT SPECIFICATION****COCONUT WATER POWDER**Date: 3<sup>rd</sup> April 2024

<b>Nutritional Analysis (per 100g) :</b>	<b>Result</b>
Calories	340 - 370 Cal
Fat – Total	<0.3 g
Saturated Fat	<0.3 g
Poly Fat	0
Mono Fat	0
Trans Fatty Acids	< 0.2 g
Cholesterol	0-20 mg
Sodium	50 - 110 mg
Carbohydrates	70 - 90 g
Dietary Fiber	0
Soluble Fiber	< 1.0 g
Insoluble Fiber	< 1.0 g
Sugar – Total	50 - 80 g
Moisture	< 5%
Protein	0.30 - 0.50 g
Vitamin D	0
Ash	5 -15 g
Zinc	0
Calcium	110 - 145 mg
Potassium	4000 - 6000 mg
Vitamin A	0
Vitamin C	0
Phosphorus	10 – 20 mg
Magnesium	60 - 75 mg

**Organoleptic Properties :**

Appearance : White/Off-White Powder

Aroma &amp; Flavor : Coconut

**Physical/Chemical Properties**

Moisture : &lt; 5%

Potassium : &gt;4000 &amp; &lt;6000 mg

**Heavy Metal Properties :**

Arsenic : Max 1.1 mg/kg

Cadmium : Max 1.5 mg/kg

Copper : Max 30 mg/kg

Iron : &lt; 20 mg/kg

Lead : Max 2.5 mg/kg

Mercury : Max 1.0 mg/kg

Tin : Max 250 mg/kg

<b>Allergens :</b>	<b>In Product</b>	<b>On Same Line</b>	<b>In Facility</b>
Peanuts	No	No	No
Tree Nuts	YES*	YES	YES
Eggs	No	No	No
Dairy	No	No	No
Fish	No	No	No
Crustaceans	No	No	No
Soybeans	No	No	No
Wheat	No	No	No
Gluten	No	No	No
Sulfites (>10 ppm)	No	No	No
Sesame	No	No	No
Mustard	No	No	No
Mollusks	No	No	No
Corn	No	No	No
FD&C Yellow #5 & #6	No	No	No

\*Made with coconut – Allergen in the U.S. Only

**Microbiological Properties**

Total Plate Count : &lt;10,000 cfu/g

Coliform Count : &lt;10 cfu/g

Yeast &amp; Mold Count : &lt;1000 cfu/g

E.Coli : ABSENT

Staphylococcus Auereus: ABSENT

Salmonella : Negative / 25g

Alicyclobacillus : Absent /per 25g

Guaiacol : &lt;10 cfu/g

Heat resistant mold: &lt;10 cfu/g

**Packaging and Storage:**

25 Kg Heavy Duty Bag in Corrugated Box

**Storage Conditions:**

Store in a cool, dry, and odor-free area.

Store at 60-80 degrees Fahrenheit at less than 70% relative humidity.

Upper limit for storage temperature is 45° C (113 Fahrenheit)

Do not freeze as powder may condense.

Do not leave the product unsealed. Product is hygroscopic and will absorb moisture if left open and exposed to the atmosphere.

Shelf life is 18 months from the date of manufacturing.

*Swadalkar*

NEEL BEVERAGES PVT. LTD.

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